Atty Docket No.: 038 18/000M728-US0

Inventor: Mijjenko Dumic, et al.

Appin: 10/624,911

Filed: Jul. 21, 2003

NOVEL AMORPHOUS 9-DEOXO-9A-AZA-9A-METHYL-

9A-HOMOERYTHROMYCIN A, PROCESS FOR PREPARING THE SAME, AND USES THEREOF

**Documents:** 

Executed Declaration and Power of Attorney (12 pages)

Fee Transmittal for FY 2004 (1 page)

Executed Assignment and Reconfation Coversheet (8 pages)

Response to Notice to File Missing Parts of Application (2 pages)

Transmittal Sheet (1 page)

Certificate of Express Mailing (1 page)

Claim for Priority (2 pages)
Certified Croation Priority Document
Check No. 3560 for \$ 12

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Ec 983950

Sender Initials: JPM/sw Date: December 12, 2003

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Application No. (if known): 10/624,911

Attorney Docket No.: 03818/000M728-US0

## Certificate of Express Mailing Under 37 CFR 1.10

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

September 14, 2004 Date

Typed or printed name of person signing Certificate

Amendment in Response to Non-Final Office Action (16 pages);

Amendment Transmittal Letter (1 page); Information Disclosure Statement (2 pages) List of References (PTO/SB/08 form) (1 page);

5 References/Publications;

Certificate of Express Mailing (1 page);

Fee Transmittal (1 page);

Petition for Extension of Time (1 page);

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Postcard; and

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PTO/SB/17 (10-03)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRADEN Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control						B control nur	
FEE TRANSMITTAL	ŀ	Complete if Known Application Number 10/624,911					
				Numbe			
for FY 2004			Date	Invon		July 21, 2003	
Effective 10/01/2003. Patent fees are subject to annual revision.	ŀ				Peselev, Elli		
П. и и и и и и и и и и и и и и и и и и и				ine		<del></del>	
Applicant claims small entity status. See 37 CFR 1.27		Art Unit				1623	
TOTAL AMOUNT OF PAYMENT (\$) 380.00		Attorn	ey Doc	ket No	. 03818/000M728-US0		
METHOD OF PAYMENT (check all that apply)				FEE	CALCULATION (continued)		
X Creck Card Order Other None	Card Order None 3. ADDITIONAL PEES						
Deposit Account: Deposit	Large	Entity	Small	Entity	_		
Account Number	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	
Deposit Account Darby & Darby P.C.	1051	130	2051	65	Surcharge – late filing fee or oath		
Name The Director is authorized to: (check all that apply)	1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.		
Charge fee(s) indicated below X Credit any overpayments	1053	130	1053	130	Non-English specification		
Charge any additional fee(s) or any underpayment of fee(s)	1812	2,520	1812	2,520	For filing a request for ex parte reexamination		
Character(a) indicated below	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805	1,840*	1805	1 840*	Requesting publication of SIR after		
FEE CALCULATION	1251	110	2251	55	Examiner action  Extension for reply within first month	110.00	
1. BASIC FILING FEE	1252	420	2252		Extension for reply within second month	110.00	
Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month		
Fee Fee Fee Fee Fee Description Fee Paid Code (\$) Code (\$)	1254	1,480	2254	740	Extension for reply within fourth month	į.	
1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month		
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal		
1003 530 2003 265 Plant filing fee	1402	330	2402		Filing a brief in support of an appeal		
1004 770 2004 385 Reissue filing fee	1403	290	2403		Request for oral hearing		
1005 160 2005 80 Provisional filing fee	1451	1,510 110	1451 2452	1,510	Petition to institute a public use proceeding  Petition to revive – unavoidable		
SUBTOTAL (1) (\$) 0.00	1453	1,330	2453	665	Petition to revive - unintentional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,330	2501		Utility issue fee (or reissue)		
Extra Fee from	1502	480	2502	240	Design issue fee		
Claims   below   Fee Paid	1503	640	2503	320	Plant issue fee		
Independent 2 -3** = 0.00	1460	130	1460	130	Petitions to the Commissioner		
Claims	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		
Large Entity   Small Entity	1806	180	1806	180	Submission of Information Disclosure Stmt	180.00	
Fee Fee Fee Fee Fee Description	8021	40	8021	40	Recording each patent assignment per	,,	
Code (\$) Code (\$) 1202 18 2202 9 Claims in excess of 20	1809	770	2809	385	property (times number of properties) Filing a submission after final rejection		
1201 86 2201 43 Independent claims in excess of 3					(37 CFR 1.129(a)) For each additional invention to be		
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	examined (37CFR 1.129(b))		
1204 86 2204 43 ** Reissue independent claims over original patent	1801	770	2801	385	Request for Continued Examination (RCE)  Request for expedited examination		
1205 18 2205 9 ** Reissue claims in excess of 20	1802	900	1802	900	of a design application		
and over original patent	Other	fee (spe	cify)				
SUBTOTAL (2) (\$) 90.00  *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 290.00  *Tor number previously paid, if greater, For Reissues, see above						290.00	
SUBMITTED BY (Complete (if applicable))							
Name (Print/Type) Jonathan P. Mitchell, Ph.D. Resistration No. (Attorney/Agent) 50,239 Telephone (212) 527-7707							
Signature Crowleys 1946 Date September 14, 2004					2004		
Express Mail Label No. Dated:							



## AMENDMENT TRANSMITTAL LETTER

Docket No. 03818/000M728-US0

Application No.	Filing Date	Examiner	Art Unit
10/624,911	July 21, 2003	E. Peselev	1623

Applicant(s): Miljenko Dumic et al.

(212) 527-7770

Invention: NOVEL AMORPHOUS 9-DEOXO-9A-AZA-9A-METHYL-9A-HOMOERYTHROMYCIN A, PROCESS FOR PREPARING THE SAME, AND USES THEREOF

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

		CLAIM	S AS AMENI	DED	
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
otal Claims	41	- 36 =	5	x 18.0	0 90.00
ndependent Claims	2	- 3 =		X	0.00
Multiple Depend	dent Claims (ch	eck if applicabl	e)		
Other fee (pleas	ea enacity)	Petition for Exten		nt	110.00 180.00
TOTAL ADDIT	IONAL FEE F	OR THIS AME	NDMENT:		380.00
x Large Entity Small Entity					
No addition	al fee is require	d for this amou	ndmont		
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Please char	ge Deposit Acc	count No	ir	n the amount of	\$·
X A check in t	he amount of \$	380.00	to cover	the filing fee is	enclosed.
Pavment by	credit card. F	orm PTO-2038	is attached.		
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x Credit a	iny overpaymei	nt.			
x Charge	any additional fil	ing or application	n processing	fees required und	ler 37 CFR 1.16 and 1.17
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and	m 11	NORN		Dated: _	September 14, 2004
Jonathan P. M	•				
Attorney Reg. I	No.: 50,239				
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P.O. Box 5257					
New York, Nev	v York 10150-	5257			

Express Mail Label No.	Dated:	